



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

TO: Board of Selectman

FROM: Zoning Commission

DATE: 1/18/2021

SUBJECT: Resolution to Opt Out of the Revisions to Connecticut General Statutes §8-2 as authorized under Section 6 of Public Act 21-29 Regarding Accessory Dwelling Units.

Section 6 of Public Act 21-29 contains language regarding accessory dwelling units. The State legislature passed Public Act 21-29 which revises section 8-2. Contained within the Public Act is language to enable certain provisions to be enforced, unless both the Zoning Commission and the Board of Selectman, after each conducts a public hearing, vote to “opt-out” by a 2/3 majority. The Zoning Commission conducted the public hearing and passed the attached resolution by a 6-0 vote. This resolution is being referred to the Board of Selectman for its consideration

In an effort to provide clarity on how this decision was attained the Commission offers the following:

The Zoning Regulations within Simsbury has allowed for accessory dwelling units in residential districts since June 24, 2002.

YEAR	# OF APPLICATION	APPROVED
2009	2	2
2010	4	3
2011	2	1
2012	2	2
2013	6	6
2014	5	3
2015	1	1
2016	4	1
2017	2	2
2018	3	3
2019	1	1
2020	0	0
2021	1	1

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This decision to opt out of this section is not an effort to disallow ADU's but to regulate them at the Town level. The Commission feels that Simsbury should be making the regulations for what works best in Simsbury. The Commission decided that the "one size fits all" approach taken by the State does not adequately address what the Town needs. By keeping the regulations at the Town level the Commission will have to ability to adjust and modify the regulations as appropriate without being locked into what the State has determined.

For example, Simsbury Zoning Regulations have different public health and safety regulations for the attached and detached units.